

MANDATE

**United States Court of Appeals
For the First Circuit**

05-11433
USDC/MA DC
Tauro, J.

No. 07-1231

KASHNER DAVIDSON SECURITIES CORP.; VICTOR L. KASHNER;
MATTHEW MEISTER; TIMOTHY VARCHETTO,

Plaintiffs, Appellees,

v.

STEVEN MSCISZ; MARK MSCISZ; LYNDY MSCISZ

Defendants, Appellants.

JUDGMENT

Entered: June 27, 2008

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The decision of the district court is reversed, and the matter is remanded to the district court for entry of an order vacating the arbitration award.

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk


Deputy Clerk

Date: 7/23/08

By the Court:

/s/ Richard Cushing Donovan, Clerk

cc: Hon. Joseph L. Tauro, Ms. Thornton, Clerk, United States District Court for the District of Massachusetts, Mr. Ross, Mr. Corbett, Mr. Moreau, Mr. Sten, Mr. Smith & Mr. Babnick.